



UNITED STATES | ENGLAND | GERMANY | CHINA

BRUCE JONES  
bjones@faegre.com  
(612) 766-7426

October 31, 2008

Liza Ward  
Motley Rice LLC  
28 Bridgeside Blvd.  
P.O. Box 1792  
Mount Pleasant, SC 29465

**By Fax**  
**(843) 216-9440**

Re: State of Oklahoma et al. v. Tyson Foods, Inc. et al.

Dear Ms. Ward:

I write in response to your letter of October 24, 2008 concerning your request for updated responses to certain document requests for financial information of Cargill Turkey Production and Cargill, Inc. First, we object to the unilateral, seven-day deadline for a response.

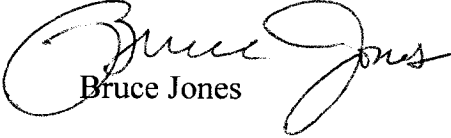
More importantly, these requests do not appear reasonably calculated to lead to the discovery of admissible evidence. Plaintiffs simply have not shown any basis for seeking the requested information or any need for this information at this stage of the litigation. Further, even if the requests were deemed to be within the scope of permissible discovery under Rule 26, they are overly broad and unduly burdensome. They are completely unlimited as to time, and scope of the information plaintiff purports to seek is enormous for a company the size of Cargill. Moreover, as Cargill is a privately-held company, these requests seek to obtain confidential and proprietary information.

That all being said, Magistrate Judge Joyner has often directed the parties to discuss their differences. If you are open to a discussion about limiting the information the state seeks, please let me know.

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Please do not hesitate to contact me if you have any questions.

Very truly yours,

  
Bruce Jones

cc: All Defense Counsel  
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